

CLASH BETWEEN JUDGE AND JEROME

District Attorney Is Dis-
respectful and Judge
Calls Him Down.

JEROME ALSO INSULTS DELMAS

Refers to His Objection as a
"Stump Speech"—Delmás Re-
torts by Saying Language
of the District At-
torney Is Of-
fensive.

NEW YORK, March 5.—Interest
aroused in to-day's session of the
trial of Harry K. Thaw by the announce-
ment that Mrs. William Thaw, the
mother of the defendant, would take
the witness stand, was quickly dulled
by the continued cross-examination
of Dr. Charles G. Wagner, one of the
allies of the defense, by District
Attorney Jerome. Dr. Wagner was on
the stand the entire day, and when
adjournment until to-morrow was an-
nounced the district attorney seemed
to have much ground yet to cover with
the expert.

Mrs. Thaw was present in the wit-
ness-room to-day, waiting to be called;
but she may not be reached before late
to-morrow or Thursday morning.
While decidedly dull in the matter
of the testimony, the question as to whether
to-day's session was made notable
by a clash between District Attorney
Jerome and Justice Fitzgerald, at the
climax of which the prosecuting officer
refused point-blank to cite to the
court the authorities upon which he
predicated an argument.

Mr. Jerome was requested by the pre-
siding judge to submit to him whatever
authorities he had upon the subject.

Will Not Submit Authorities.
"I have such a high respect for the
courts of this jurisdiction," retorted Mr.
Jerome, "that I will not submit authori-
ties on a question of the law which is es-
sential in character and upon which the
authorities are so abundant that I
must presume the learned court knows
of them."

With flushed face and a sharp rap of
the gavel, Justice Fitzgerald said if the
district attorney did not submit the au-
thorities the court would assume that
he did not know of any. Mr. Jerome did
not submit the authorities, and Justice
Fitzgerald ruled in favor of the defense
on the point at issue, which, briefly
stated, was the question as to whether
the State, on cross-examination, should
be allowed to go further with an expert
witness than counsel for the defense was
allowed to go upon direct examination.

Jerome Defies Judge.
District Attorney Jerome was as de-
fiant in his tone as he was in the words
he uttered. Justice Fitzgerald rapped
several times with his gavel, twisted
about impatiently in his chair, and it
was plainly with much effort that he
retained his judicial composure.

The storm broke in the midst of an
extremely dull morning session, when
some of the spectators in the court-
room were actually nodding in their
chairs. During the unusual scene be-
tween the judge and Mr. Jerome, how-
ever, there was a hush in the room
which gave emphasis to each word
uttered, either from the bench or by
the prosecuting attorney. The incident
began with an objection interposed
by Mr. Delmas, for the defense, to a
question to Dr. Wagner by Mr.
Jerome. The district attorney wanted
the witness to repeat certain conver-
sations he had with Thaw in the
Tomb. Mr. Delmas protested that he
had not been allowed to go into these
conversations on direct examination. He
was proceeding at some length to
state the position of the defense when
Mr. Jerome interrupted with the re-
mark that the argument did not call
for a "stump speech." Mr. Delmas
protested against this "offensive lan-
guage" by the district attorney. Jus-
tice Fitzgerald, however, took no
notice of the interruption, and Mr.
Delmas was soon lost to view because
of the turn affairs took.

Thaw Is Insane, Says Jerome.
During the course of his argument
the district attorney placed himself on
record by saying that the legal as-
sumption before the court to-day is
that Harry K. Thaw is insane. The
allies of the defense have shown Thaw
to have been sane as late as September
22d last, and in the absence of proof to
the contrary the assumption is that he
remains sane.

Justice Fitzgerald declared that the
present jury only has to do with the
question of Thaw's sanity or insanity
on the night that he shot and killed
Stanford White.

Dr. Wagner was allowed to give his
conversations with Thaw during the
period that he believed the defendant
to be of unsound mind. He said Thaw
remembered having approached and
having shot White.

He protested, however, that he had
not intended at any time to kill the
man but wanted to have him legally
punished.

Those Long Latin Names.
Much of the day was given over to
technical questions concerning the
mental and physical examinations to
which Thaw was subjected in the
Tomb by Doctors Wagner and Evans.
During some of the long explanations
offered by the allies of Mr. Jerome
walked restlessly to and fro, and once
sat down near the newspaper men
and entered into conversation with
them.

In answering some of the questions
propounded by the district attorney,
Dr. Wagner said he was compelled to
use long names.

"Go ahead," said the prosecutor.
The expert proceeded. The official
stenographer scribbled, and most of the
jurors laughed heartily.

"I can't help it," explained Dr. Wagn-
er, as if in apology for the longest
names he uttered. "I know you can't,"
said Mr. Jerome. "You go right ahead
whenever you feel like it."

YOUNG WOMAN SHOT IN MYSTERIOUS WAY AT SALISBURY N. C.

Whether She Turned Shotgun on
Herself or Was Murdered
Not Known.

[Special to The Times-Dispatch.]
SALISBURY, N. C., March 5.—Miss
Bella Everhardt, aged about twenty
years, was shot and instantly killed
at her home in this city this morning,
and the shooting is supposed to have
been done by herself. She arose early,
prepared breakfast for her father and
brother, went into the room where they
were sleeping, and fired a load
of shot into her stomach, dying in-
stantly. Mystery surrounds the whole
affair, as her relatives did not arouse
at the sound of the gun. The coroner
is making an investigation based upon
a threat Miss Everhardt was heard to
make Sunday. It is now believed that
the young woman could have fired
the gun with her foot. She was well
liked in the community.

HANNA SUED FOR DIVORCE

Has Been Once Before Divorced,
and Plaintiff Was Divorced
When He Married Her.

CLEVELAND, OHIO, March 5.—Suit
for divorce was filed to-day in Com-
mon Pleas Court by Elizabeth Gordon
Hanna, wife of Dan B. Hanna, only son
of the late Senator Hanna. Hanna is
accused of gross neglect of duty,
abandonment and extreme cruelty.

Mrs. Hanna asks for divorce, ample
alimony and the custody of her daugh-
ter, Elizabeth, aged five years.

The petition was sworn to before a
notary in New York City under date
of March 1st.

The plaintiff is Hanna's second wife.
Her first husband being Dr. E. M. Ma-
an, an Englishman. She was divorced in
1906, and on February 15th, of the
same year, she was married to Dan
Hanna. Hanna has also been married
twice.

Dan Hanna's first marriage was to
May Harrington. She obtained a di-
vorce in 1898. She has since remarried.

Hanna's present wife has resided in
New York City since early last fall.
She is the daughter of the late Charles
W. Gordon, a millionaire, who be-
queathed to the city of Cleveland Gor-
don Park.

SEARCHED ALL
PRESENT IN COURT

Company and Militia Guard
Judge and Attorneys During
Trial.

LEXINGTON, KY., March 5.—When
court convened to-day for the trial of
Judge James Harris charged with the
assassination of Dr. B. D. Cox, Judge
Carnes ordered all present to leave the
court-room and be searched as they re-
entered the courthouse.

Harris refused to request a change of
venue, and the trial will be resumed here
to-morrow.

Forty men of Company A, Second In-
fantry, of Frankfort, under com-
mand of Adjutant-General Henry Law-
rence and Captain W. C. Longacre, ar-
rived here on a special train to-day and
went to Jackson, Treas. county, to re-
main there during the trial. The soldiers
reported to Special Judge William Carnes,
who is trying the case, and were placed
in the courthouse.

ROCKEFELLER WILL
NOT DISCUSS GIFT

Says He Is in Georgia for Rest
and Will Remain Until
Warm Weather.

AUGUSTA, GA., March 5.—"I guess
the article about the tremendous gift
I am to make was considerably expan-
ded," said John D. Rockefeller, who is
alighted from a train here to-day. "I
guess I had better be like the village
fool and keep my mouth shut. I am too
hungry to talk, anyway. There is
nothing in the report that I came back
to Augusta because of the money. I
was very much frightened, and I am
better than when I left. I was tired
and like the climate. I am going to stay
at the Waldorf."

Dr. Bigler was not with Mr. Rocke-
feller, but is expected next week. He
is not coming to attend Mrs. McCormick's
trial.

WILL FURNISH BUILDING
LIKE LANGDON MANSION

CONCORD, N. H., March 5.—Woodbury
Langdon, of New York, who owns the
Langdon mansion at Portsmouth, has
written to Governor Floyd offering to
reproduce and furnish the interior of the
duplicate of the house which New Hamp-
shire will erect as the State's building
at Jamestown.

The house will be exactly like those of
the Langdon mansion, and will cost not less
than \$10,000.

KINSWOMAN OF CLAY
DIES IN KENTUCKY

LEXINGTON, KY., March 5.—A relative
of Henry Clay, Mrs. Frances P. Clay,
aged ninety-one years, died at her home
in this county to-day. She lived seven miles
from town, and had not been here in more
than forty-five years. She became angry at
some of the people before the Civil War
and vowed that she would never visit
the place again. She was wealthy.

TWO MEN ARE KILLED
AT A MULLET SUPPER

AMERICUS, GA., March 5.—In a gen-
eral fight among negroes at a mullet
supper on a plantation near Americus
last night, a hundred pistol shots were
fired. Two men were killed outright
and several others wounded. After the
single kerosene lamp was extinguished
by a bullet the shooting in the dark
became general.

NOTED SPEAKER AT
UNITARIAN CHURCH

Rev. Charles E. St. John, secretary of
the American Unitarian Association,
who is visiting Richmond, will preach
at the First Unitarian Church this eve-
ning at 8 o'clock.

ANNUAL BUDGET FINALLY PASSES

After a Breezy Session
Board Adopts Appro-
priation Bill.

EAST END COMBINE RETARDS ACTION

Held Up Budget on Two Items,
One Making Appropriation
for Blues' Armory, the
Other for Paving
West End
Streets.

After a four-hours session consumed
in discussing two items, the Board of
Aldermen last night concurred in the
action of the Common Council on the
budget for 1907.

The result was attained only after a
recess and the enforced attendance of
absentees. The difficulty in passing
the budget was due solely to the op-
position of Alderman Turpin, of Jeffer-
son Ward, and Aldermen Mann, Satter-
field and Washer, of Marshall Ward,
reinforced by Mr. Seay, of Clay Ward.
With only twelve other Aldermen pre-
sent, the ordinance failed for the lack
of the requisite fourteen votes, two-
thirds of the membership of the body;
but it was only a temporary failure.

The usual recess was had, and the
sergeant-at-arms was dispatched for
the absent members. The arrival of
Aldermen Burton and Wood soon after
midnight provided sufficient votes to
insure the passage of the ordinance.

President Turpin led the opposition to
the budget, or rather to the two con-
tested items, one of which provided \$40,-
000 as first instalment for an armory for
the Blues, and the other an appropri-
ation of \$40,000 for paving Franklin Street
and Monument Avenue, and for opening
and widening streets. Alderman Mann,
of Marshall Ward, conducted the fight
against the second item, making a plea
for more equitable ward distribution of
the funds available for pavements and
street improvements.

The session was a breezy and interest-
ing one, and was characterized by
some very striking addresses by Presi-
dent Turpin, Alderman Dabney and
others. The presence of a committee of
district school teachers added interest
to the meeting, the ladies being very
much in evidence and very enthusiastic
in urging the passage of the budget.

When it was finally adopted they ap-
plauded vigorously, in defiance of alder-
manic rules, and no one said them nay.

After the meeting they had a colloquy.
As a result of the adoption of the
budget the teachers will all receive from
\$15 to \$25 or \$30 additional with their
April salaries.

Session in Detail.

The roll-call showed the presence
of a quorum, as follows: Aldermen
Adams, Cottrell, Dabney, Denmore, El-
lett, Gilman, Grundy, Gunst, Larus,
Mann, Masurier, Moncre, Reynolds,
Satterfield, Seay, Washer and President
Turpin.

The call for the meeting was read,
and then on motion the meeting was
called to order. The first item of the
budget, appropriations for 1907, was
making the same a part of the fund
for 1907 was adopted.

President Turpin had read a petition
from the negro teachers of the city,
appealing for consideration at this
meeting of the Council and the school
board in the proposed increase of salar-
ies. The paper, which is couched in
most respectful language, and which
recites the needs of the teachers and
their faithful service in the past, was
referred.

Consideration of the budget was
then begun, the ordinance being read
as it passed the Common Council. Be-
fore the reading of the budget began
President Turpin served notice that he
would have few objections to make,
but that these would be rather im-
portant.

Salaries of Teachers.

The reading proceeded, and no snags
were encountered until the appropri-
ation for the pay of teachers was
reached. Here Mr. Seay wanted infor-
mation as to how the \$20,000 appro-
priation was to be apportioned among
the various grades of teachers.

Mr. Dabney, acting for Chairman
Wood, who is ill, explained as best he
could the understanding between the
Finance Committee and the School
Board as to the distribution of the
money.

In a semi-humorous speech, sparkling
with clever badinage and bristling
with parenthetical compliments for
the ladies, Mr. Turpin (Mr. Gunst in
the chair) commended the work of the
teachers and the proposed increase of
salaries. He said that the reorganiza-
tion was effected by a fraudulent con-
spiracy against the old stockholders,
and that it has resulted in a fraud
upon the government of the United
States by wrongfully making it appear
that the ownership of the railroad
telegraph line and land grant is no
longer vested in the corporation of con-
gressional creation over which Con-
gress has possessed of direct and im-
mediate legislative power.

\$155,000,000 Profits.

"It was also charged in that resolu-
tion that the Northern Pacific estate was
taken over by the Wisconsin Company
under an agreement of July 13, 1896, ante-
dating the alleged foreclosure sales and
giving \$345,000,000 as the value of the
property. At the time the Wisconsin
Company had but \$4,100 in its treasury
and was without other assets or credit.

"The valuation of \$345,000,000 thus
placed upon the Northern Pacific estate
was more than \$155,000,000 in excess of
every dollar in indebtedness, real or
alleged, principal and interest, existing
at that time against the old company. If,
as is claimed by Hill and Morgan,
the old company was bankrupt at the
time, then this \$155,000,000 represented
nothing but water. If, on the other hand,
real value was represented in the \$345,-
000,000, then the old stockholders were
deprived of that vast equity of \$155,-
000,000 in order that Hill and Morgan
might get 50 per cent. dividends and
850 per cent. profit on their investments."

Burglars Enter Her Home in
Louisiana and Run Her Out—She
Faints in Road.

[Special to The Times-Dispatch.]
FREDERICKS HALL, VA., March 5.—
At an early hour this morning the
home of Mr. Charles E. Trice was en-
tered by burglars. The house was
only occupied by Mr. Trice's sister,
Miss Sadie Trice, and the cook, Mr.
Trice being away. Miss Trice, who was
very much frightened, escaped, to-
gether with the cook, and endeav-
ored to reach Mr. Semple Goodwin's
house, a mile distant, but fell out of
sheer exhaustion before getting to Mr.
Goodwin's. The cook hastened for
assistance, and Miss Trice was brought
to the Goodwin home, where she still
remains in a nervous state. Dr. E. A.
Terrell was summoned, and rendered
necessary attention, after which sev-
eral of the neighbors went to the
Trice home and found that Miss Trice's
trunk had been taken and increased
of money and other valuables.

MRS. EDDY, HER RESIDENCE AND TWO OF HER RELATIONS WHO ARE BRINGING SUIT



MRS. EDDY'S RESIDENCE, CONCORD, N. H.

MORGAN AND HILL MADE \$155,000,000

Northern Pacific Deal
Makes "Alton" Look
Like Child's Play.

STOCKHOLDERS WILL SHOW UP GRAB GAME

Spooner Blocked Senate Investi-
gation, But Roosevelt Will
Be Asked to Take Up
the Matter—North-
ern Pacific Was
Watered.

[Special to The Times-Dispatch.]
PHILADELPHIA, Pa., March 5.—
President Roosevelt is to be asked by
Philadelphians to cause an investigation
of reorganization methods by which
James J. Hill and J. Pierpont Morgan ex-
ercised their control over the Northern
Pacific Railroad for the enrichment of
themselves and their associates to the
amount of many millions. The Com-
mittee of Philadelphia holders of North-
ern Pacific shares, of which Charles
Fearon, of Charles Fearon & Co., bankers
and brokers, is chairman, has gathered
proofs bearing upon their allegations
that they and thousands of other stock-
holders throughout the country have been
grievously wronged in the Hill-Morgan
reorganization.

Six o'clock—Dinner.

One to two o'clock—Drives through
streets of Concord.

Two to four o'clock—Receives visi-
tors, if any have been summoned, or
talks on affairs of church with sec-
retary.

Four to six o'clock—Reads and
studies.

Six o'clock—Dinner.

Seven to nine o'clock—Reclines in
easy chair in room with members of
household.

Nine o'clock—Retires.

[Special to The Times-Dispatch.]
CONCORD, N. H., March 6.—That
obstacles will be raised at every step
to check progress of impartial officers
in behalf of Mrs. Mary Baker Glover
Eddy was demonstrated to-day when
occasion was presented for the first
time for a "show down."

John W. Kelley and Nathaniel E. Mar-
tin, of counsel for the plaintiffs, called
in behalf of Mrs. Mary Baker Glover
Eddy was demonstrated to-day when
occasion was presented for the first
time for a "show down."

It is a matter of record that the news-
papers of Concord and her sister town
Manchester have leaned towards Mrs.
Eddy on every occasion. It is therefore
not surprising that the more significant
the growth of public sentiment towards
the "Church of Christ," the more the
Manchester Union to print the following
to-day:

"If the public has been suspicious and
the people of Concord have wondered, there
is very little reason to cry conspiracy
when George W. Glover and other mem-
bers of the immediate family of Mrs.
Eddy voice some question about things.
"All the above conditions have been
expressed by people here to-day, and it
leads back every time to the ques-
tion, namely, what harm can be done or
who can be hurt by disproving the al-
legations in the bill of equity and show-
ing to the world that Mrs. Eddy's af-
fairs have been properly administered,
either by herself or by others?"

There is any question whether or not
everything is as it should be, there
may be some reason for the extra-
ordinary indignation expressed over
the matter in Christian Science circles.

On the last occasion, when the as-
sessment rates were published in the
Concord papers, Mrs. Eddy was taxed

(Continued on Second Page.)

MRS. EDDY WILL NOT 'SHOW DOWN'

Her Counsel Decline to Accept
Service—Says He Is Not Coun-
sel for Footman.

CONCORD PEOPLE SUSPICIOUS

Local Papers Say There Can Be
No Harm Done if There Has
Been No Fraud.

HOW MRS. EDDY
SPENDS HER DAY

Mrs. Eddy's daily routine, as given
by her cousin, Mr. Haker:

Eight o'clock in the morning—break-
fast.

Nine to eleven o'clock—Opens mail,
writes letters and dictates orders.

Eleven o'clock to noon—Rests.

Noon—Lunch.

One to two o'clock—Drives through
streets of Concord.

Two to four o'clock—Receives visi-
tors, if any have been summoned, or
talks on affairs of church with sec-
retary.

Four to six o'clock—Reads and
studies.

Six o'clock—Dinner.

Seven to nine o'clock—Reclines in
easy chair in room with members of
household.

Nine o'clock—Retires.

[Special to The Times-Dispatch.]
CONCORD, N. H., March 6.—That
obstacles will be raised at every step
to check progress of impartial officers
in behalf of Mrs. Mary Baker Glover
Eddy was demonstrated to-day when
occasion was presented for the first
time for a "show down."

John W. Kelley and Nathaniel E. Mar-
tin, of counsel for the plaintiffs, called
in behalf of Mrs. Mary Baker Glover
Eddy was demonstrated to-day when
occasion was presented for the first
time for a "show down."

It is a matter of record that the news-
papers of Concord and her sister town
Manchester have leaned towards Mrs.
Eddy on every occasion. It is therefore
not surprising that the more significant
the growth of public sentiment towards
the "Church of Christ," the more the
Manchester Union to print the following
to-day:

"If the public has been suspicious and
the people of Concord have wondered, there
is very little reason to cry conspiracy
when George W. Glover and other mem-
bers of the immediate family of Mrs.
Eddy voice some question about things.
"All the above conditions have been
expressed by people here to-day, and it
leads back every time to the ques-
tion, namely, what harm can be done or
who can be hurt by disproving the al-
legations in the bill of equity and show-
ing to the world that Mrs. Eddy's af-
fairs have been properly administered,
either by herself or by others?"

There is any question whether or not
everything is as it should be, there
may be some reason for the extra-
ordinary indignation expressed over
the matter in Christian Science circles.

On the last occasion, when the as-
sessment rates were published in the
Concord papers, Mrs. Eddy was taxed

(Continued on Second Page.)

STROTHER CASE WILL GO TO JURY THIS EVENING

Messrs. Keith and Jeffries
Spoke Yesterday and
Last Night.

PASSIONATE PLEA FOR HOME SANCTITY

Mr. Jeffries Bases His Appeal for
Acquittal on Ground of Emo-
tional Insanity and "Un-
written Law"—Be-
trayer Should
Be Shot.

BY WALTER EDWARD HARRIS.
CULPEPPER, VA., March 5.—It is
probable that the jury which is to
decide the fate of James and Philip
Strother for the killing of William
F. Bywaters a few minutes after he
had been compelled to wed their sis-
ter, whom he had dishonored, will
consider their verdict to-morrow
afternoon or to-morrow night. It is
also probable that the verdict will be
returned before the jurors seek their
beds to-morrow. A disagreement is
not expected.

Argument for the prosecution was
made this afternoon by J. A. C. Keith,
Commonwealth's attorney for Fauquier
county, who represents the Common-
wealth in this trial. Hon. John L.
Jeffries made the opening speech for
the defense.

When court convenes in the morning
Hon. R. Walton Moore will speak for
the defense, and will be followed by
John L. Lee, Esq., for the defense, and
the prosecution will then close the
case with a speech from Captain Woods.
The trial of Philip Strother pre-
sented a session of the court this morn-
ing. The young man was taken sick
during the night and his condition was
threatening when the hour for con-
vening. Several times during the morn-
ing, the young man was taken sick, and
the counsel stated to his honor the con-
dition of the defendant, but said it was
probable he would be able to appear
this afternoon, whereupon an adjourn-
ment was taken until 2 o'clock to-mor-
row.

Dr. Chief worked hard to get his
patient in condition, and when the hour
for the court to sit this afternoon ar-
rived, Philip Strother appeared with his
breath very short, and his face pale and
nauseated, and had to retire to the
fresh air in one instance. He is thought
to be better to-night.

Keith's Strong Speech.

Jeffries's Passionate Appeal.

The argument to-day demonstrated
the ability of the counsel on both
sides. Mr. Keith, a comparatively
young man at the bar, made a speech
which would have done credit to many
an older man. His familiarity with
every legal question involved, as well
as with every detail of the case, and
amount of testimony given in the
course of the week of the trial; his
powers of analysis and deduction, all
illustrated what was a very strong
advocate. Several times during the
afternoon he appeared to be
nauseated, and had to retire to the
fresh air in one instance. He is thought
to be better to-night.

Major Standing
PAT ON SPEECHES

Says He Referred to Finance
Committee and Is Ready for
Public Debate.

WHAT HE THINKS OF INQUIRY

Suggests That a Little More
Machinery in White's Head
Would Do Him Good!

Major Carlton McCarthy is "standing
pat" on his two recent speeches refer-
ring to the Finance Committee and the
Council. There is no evidence of a back-
down or an apology, but, on the other
hand, there is not the slightest indica-
tion of feeling on the part of the execu-
tive in connection with the action of
the Common Council Monday night in
adopting a joint resolution for an in-
vestigation.

When Mayor McCarthy yesterday afternoon, the
Mayor discussed the situation with en-
tire frankness and good temper. He
stated first of all that he specifically had
reference to the Finance Committee in his
utterances at the Travelers' Protective
Association rooms. In the Council Mr.
McCarthy declared that if the Mayor's
criticisms referred to the Finance Com-
mittee they were false. In his conversa-
tion yesterday afternoon the Mayor left
no doubt as to what committee he was
speaking of, and he intimated that he
was ready to demonstrate the truth of his
assertions, having, while city accountant,
attended all the meetings of that com-
mittee.

Continuing, he expressed a willing-
ness, which was not doubted, to de-
cide the issue. He discussed the Finance
Committee and its doings for an hour at the Acad-
emy of Music with Mr. Cannon, or with
any lawyer whom the Councilman
might designate. He said he could
speak for an hour and would not open a
book to prepare his remarks.

His Remedy for White.

Incidentally Mayor McCarthy stated
that, of course, when he said the com-
mittee had violated the charter they
were sworn to uphold, he did not mean
that they had done so knowingly, de-
liberately or criminally. It would be
as reasonable an inference whenever
the Supreme Court declared unconsti-
tutional a statute of the Legislature